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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,801	08/30/2001	Dinesh Sheth	A00067US	3215
36536	7590	05/15/2006	EXAMINER	
WYATT, TARRANT & COMBS, LLP 1715 AARON BRENNER DRIVE SUITE 800 MEMPHIS, TN 38120-4367			THERIAULT, STEVEN B	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/943,801	SHETH ET AL.
	Examiner Steven B. Theriault	Art Unit 2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 February 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 8,9,16,37,38,41 and 42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 8,9,16,37,38,41 and 42 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

1. This action is responsive to the following communications: RCE filed on 02/22/2006.
2. Claims 8, 9, 16, 37, 38, 41 and 42 are pending in the case. Claim 8, 16, 37, and 41 are the independent claims. Claims 8, 16, 37, and 41 are the amended claims.

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/22/2006 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 8, 9, 16, 37, 38, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flesner et al (hereinafter Flesner) U.S. Patent Publication No. 2002/0194267 A1 issued Dec. 19, 2002, and filed June 22, 2001.**

In regard to **Independent claim 8**, Flesner teaches a computerized *method of aggregating and displaying Internet account information on a processor of a client, the client processor having a display, the client processor operatively connected to a host server processor via the Internet, comprising:*

- *Creating and updating a view page using an Internet browser by a user;* (Figure 2 and page 4, Para 0063 and Para 0064). Flesner shows the user ability to modify a page view in a browser window.
- *Displaying a view page on the display, said view page having three columns, each of said columns having at least one monitor therein;* (Figure 2 and Figure 5a and 5b and page 5, Para 0080 - 0083 and Para 0084) Flesner shows the ability to have any number of columns within the view that is customizable by the user, wherein each content module has a monitor to retrieve dynamic content such as news feeds and stock quotes, etc..
- *Managing creation and movement of each monitor within the view page using table entry and movement of the entry with arrows on the display* (page 3, Para 0036 and Para 0074 - 0083) Flesner allows the user to modify the layout of the modules within the page thought the clicking of the layout control that will display a screen to modify the layout of the display.
- *Populating said monitors with links to selected web sites;* (Figure10) Flesner shows the populating of modules with selected sites (see also page 7, Para 0107 - 0108 and page 5, Para 0109).
- *Retrieving data from said selected websites* (see page 5, Para 0063 and Para 0064 and Para 0107). Flesner teaches the retrieving of content for the modules.

- *Displaying said retrieved data in said monitors on said view page* (See Figure 2)  
Flesner teaches the displaying of content in the module on the view page.
- *Storing a plurality of view pages in a view page database of the host processor, each said view page containing monitors selectively populated by the user, and assigning a different name to each said view page to thereby distinguish said view pages from one another* (page 7, Para 0111 and page 8, Para 0136 - 0138) Flesner teaches a database for storing individual views of the portal page (See also page 6, Para 0088).
- *Wherein creating said view page by the user further comprises*
  - *Assigning monitor attributes with user actions and assigning each monitor content from the retrieved data* (Figure 2 and page 7, Para 0107 - 0108 and page 9, Para 0151 - 0160).
  - *Selecting whether to assign the color style to any other monitors on the view page.* (Figure 2 and page 5, Para 00765 - 0083 and page 6, Para 0084 - 0086).

Flesner does not expressly teach:

*Assigning each monitor a color style from a color pallet having a set number of colors to pair and displaying the color pallet in a preview pane.* However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Flesner, because of the suggestion and express teaching of the ability to customize the layout and color of individual content modules as well as view pages (see figure2 and page 6, column 1, lines 1-20). Additionally, Flesners controls provide for individual template controls and styles and look and feel for a given page (see page 9, column 2, lines 30-67).

With respect to **dependent claim 9**, Flesner teaches a method of selecting a desired view page via a graphical user interface of a displayed view page, retrieving said selected view page from said view page database, and displaying said selected view page on the display (page 7, Para 0111-0113 and Figure 3).

In regard to **Independent claim 16**, Flesner teaches a computerized method of aggregating and displaying Internet account information on a processor of a client, the client processor having a display, the client processor operatively connected to a host server processor via the Internet comprising:

- Displaying a view page on the display, said view page having three columns, each of said columns having at least one monitor therein; (Figure 2 and 3) Flesner shows displaying content for a users account in a portal where there are any number of columns of information.
- Populating said monitors with links to selected web sites; (page 7,Para 0107 -0108).
- Retrieving data from said selected web sites; (page 7, Para 0107 -0108) creating the view page by the user, wherein creating further comprises
  - Assigning each monitor content from the retrieved data (Figure 2 and page 7, Para 0107 -0108 and page 9, Para 0151-0160).
  - Selecting whether to assign the color style to any other monitors on the view page (Figure 2 and page 5, Para 0080 - 0089).

- Selectively modifying a background color scheme of at least one of said monitors of said view page, wherein modifying the background color scheme further comprises:
  - Selecting a monitor to modify (page 3, Para 0036-0038) Flesner teaches a portal system that provides for aggregating content from the Internet in which individual windows are displayed on the interface containing the content (see figure 2) Flesner also teaches a Layout and color button that allows a user to adjust the portal color scheme.
  - Retrieving said selected monitor from a monitors database of the host processor (page 7, Para 0110 - 0117 and Figure 2 and 3)
  - Selecting a new display color for said selected monitor via a graphical interface (page 7, Para 0110 - 0117 and Figure 2 and 3 and Para 0080-0087)
  - Storing said modified selected monitor in said monitors database, (page 7, Para 0110 - 0117and Figure 2 and 3)
  - Displaying an updated view page on the display of the client processor, said updated view page including said modified background color scheme of said selected monitor (page 7, Para 0110 - 0117 and Figure 2 and 3)

Flesner does not expressly teach:

Assigning each monitor a color style from a color pallet having a set number of colors to pair and displaying the color pallet in a preview pane, and (Figure 2 and Para 0080 - 0088) However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Flesner, because of the suggestion and express teaching of the ability to customize the layout and color of individual content modules as well as view pages (see figure2 and Para 0080 - 0088). Additionally, Flesners controls provide for individual template controls and styles and look and feel for a given page (see page 9, Para 0151-0160).

In regard to **Independent claim 37**, Flesner teaches a computerized method of aggregating and displaying Internet account information on a processor of a client, the client processor having a display, the client processor operatively connected to a host server processor via the Internet, comprising:

- *Creating and storing a plurality of view pages in a view page database of the host processor, assigning a different name to each said view page to thereby distinguish said view pages from one another.*
- Each said view page having one or more columns, (Figure 3) Flesner shows a display with three columns.
- *Each of said columns having at least one monitor therein* (Figure 2) Flesner shows a display with columns with at least one monitor in each column.
- *Creating the view page by the user, wherein creating further comprises*
  - Assigning each monitor content from the retrieved data (Figure 2 and Para 0106-0108 and page 9, Para 0151-0160).
  - *Selecting whether to assign the color style to any other monitors on the view page,* (Figure 2 and Para 0080-0088).
  - *Selecting a view page from said view page database via a graphical user interface, retrieving said selected view page from said view page database, displaying said selected view page on the display,* (Flesner figure 2 and page 7, Para 0106 - 0108 and page 9, Para 0111-0117).
- *Selecting a monitor from one of said columns of said selected view page via a graphical user interface, moving said selected monitor to a new position on said view page via a graphical user interface, and displaying said monitor in said new position on said view page* (Flesner Figure 2 and page 3, Para 0036-0038).

Flesner does not expressly teach:

Assigning each monitor a color style from a color pallet having a set number of colors to pair and displaying the color pallet in a preview pane, and (Figure 2 and page 5, Para 0080-0088) However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Flesner, because of the suggestion and express teaching of the ability to customize the layout and color of individual content modules as well as view pages (see figure2 and Para 0080-0088). Additionally, Flesners controls provide for individual template controls and styles and look and feel for a given page (see page 9, Para 0150-0160).

With respect to **dependent claim 38**, Flesner teaches *the client processor is a mobile device* (Page 2, Para 0034).

In regard to **Independent claim 41**, Flesner teaches a computerized method of aggregating and displaying Internet account information on a processor of a client, the client processor having a display, the client processor operatively connected to a host server processor via the Internet, comprising:

- Displaying a view page on the display (Figure 4 and page 4, Para 0063- 0065).
- *A view page having one or more columns* (Figure 2).
- *Each of said columns having at least one monitor therein*, (Figure 2).
- *Populating said monitors with links to selected web-sites, retrieving data from said selected web-sites, displaying said retrieved data in said monitors on said view page*, (page 5, Para 0063-0065 and page 7, Para 0106-0108).
- *Creating the view page by the user, wherein creating further comprises*
  - Assigning each monitor content from the retrieved data (Figure 2 and page 7, Para 0106-0108 and page 9, Para 0157-0160).

- Selecting whether to assign the color style to any other monitors on the view page. (Figure 2 and page 5, Para 0080-0088).
  - Selecting a monitor to modify, retrieving said selected monitor from a monitor's database of the host processor (page 7, Para 0110-0117 and Figure 2).
  - Selecting a new display color for said selected monitor via a graphical user interface, storing said modified selected monitor in said monitors database, and displaying an updated view page on the display of the client processor, said updated view page including said modified background color scheme of said selected monitor. Flesner teaches a portal system that provides for aggregating content from the Internet in which individual windows are displayed on the interface containing the content (see figure 2) Flesner also teaches a Layout and color button (see page 3, column 1, lines 45-50) that allows a user to adjust the portal color scheme. Flesner further defines the ability to customize color settings and fonts of individual modules provided the user has the correct permission to update the module and for publishing the module, which would provide for the updating the database and displaying the page in the interface with the new settings. (See page 6, Para 0080-0088).

Flesner does not expressly teach:

Assigning each monitor a color style from a color pallet having a set number of colors to pair and displaying the color pallet in a preview pane, and (Figure 2 and page 5, Para 0080-0088) However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Flesner, because of the suggestion and express teaching of the ability to customize the layout and color of individual content modules as well as view pages (see figure 2 and page 6, Para 0080-0088). Additionally, Flesner's controls provide for individual template controls and styles and look and feel for a given page (see page 9, Para 0151-0160).

With respect to **dependent claim 42**, Flesner teaches the method where said processor is a mobile device. (Page 2, Para 0034)

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. *In re Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting *In re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 8, 9, 16, 37, 38, 41 and 42 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,553,412 to Kloba et al. and discloses a product for content aggregation and web content development for the delivery and management of information to clients.

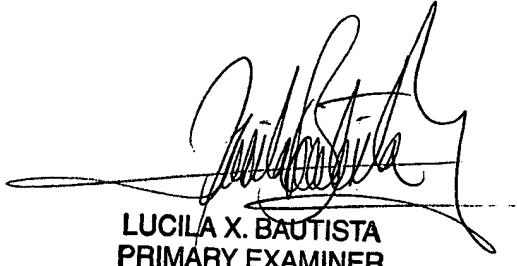
U.S. Patent No. 6,272,493 to Pasquali et al. and discloses a system for windows based portal control were a user can select the layout and content within the display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M-F 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SBT



LUCILA X. BAUTISTA  
PRIMARY EXAMINER